

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DARNELL ROSS; KAWANA POWELL;
DOMINIQUE PALMORE; KEISHA
PATTERSON; TERESA PATTERSON; ROSE
MARIE DAVIS,

Plaintiff,
-against-

SEATTLE WA; BRUCE HARRELL; JAY
INSLEE; LINDA RIDGE; UNION PACIFIC
RAIL LINE OWNER; LARRY BENSON;
TERRY BENSON,

Defendants.

22-CV-1383 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated February 24, 2022, the Court directed Plaintiff Darnell Ross,¹ within thirty days, to (1) resubmit the signature page of the complaint with an original signature; and (2) either pay the \$402.00 in fees that are required to file a civil action in this court or submit a completed request to proceed *in forma pauperis* (“IFP”). On March 8, 2022, the order was returned to the court with a notation on the envelope indicating that the mail was undeliverable to Plaintiff’s address. Plaintiff has not complied with the Court’s order, has failed to notify the court of a change of mailing address, and has not initiated any further contact with the court, written or otherwise. Accordingly, Plaintiff’s complaint is dismissed without prejudice. *See* 28 U.S.C. §§ 1914, 1915.

¹ Plaintiff Darnell Ross is the only plaintiff who signed the complaint. It appears that Plaintiff Darnell Ross was purportedly asserting claims in this action on behalf of the other named plaintiffs. But Plaintiff, who does not allege that he is an attorney, cannot assert claims on behalf of the other named plaintiffs. *See Iannaccone v. Law*, 142 F.3d 553, 558 (2d Cir. 1998) (“[b]ecause pro se means to appear for one’s self, a person may not appear on another person’s behalf in the other’s cause”) The Court therefore considers Plaintiff Darnell Ross as the sole plaintiff in this action.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppededge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: March 28, 2022
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge